

Regional Planning Commission Transmittal Checklist

Hearing Date
11/19/14

Agenda Item No.
13

Project Number: R2014-01331-(1-5)

Case(s): Advance Planning Case No. 201400005

Project Name: Yard Sale Ordinance Update

Staff Name: Jonathan P. Bell

- RPC Cover Memo
- Staff Report with Attachments
- Draft Resolution
- Draft Ordinance
- Notice of Public Hearing
- Public Comments

Reviewed By: 



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

November 6, 2014

TO: Esther L. Valadez, Chair
Laura Shell, Vice Chair
David W. Louie
Curt Pedersen
Pat Modugno

FROM: Carmen Sainz, Supervising Regional Planner
Community Studies East Section

**SUBJECT: PUBLIC HEARING MATERIALS
YARD SALE ORDINANCE UPDATE
PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005
HEARING DATE: November 19, 2014
ITEM 13**

Please find attached the following documents for the above referenced project:

Staff Report and attachments
Resolution
Draft Ordinance
Public Comments

If you have any questions regarding this project, please contact Jonathan P. Bell at (213) 974-6425 or via email at jpbell@planning.lacounty.gov, Monday through Thursday from 7:30 AM to 5:30 PM. Our offices are closed on Fridays.

CS:JPB

Attachments

STAFF REPORT
PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005
YARD SALE ORDINANCE UPDATE

PROPOSAL

Project Description

The proposed ordinance amendment repeals existing regulations currently in Sections 22.20.065 of Residential Zones (R-zone) and 22.24.065 of Agriculture Zones (A-zone) in Title 22 (Planning and Zoning) of the Los Angeles County Code and adds a new Part 30 to General Regulations Chapter 22.52 addressing the sale of personal property at a yard sale, garage sale, moving sale or similar event occurring from a dwelling unit. For the purposes of this ordinance, the sale of personal property shall be known inclusively as a “yard sale.”

The proposed ordinance amendment establishes comprehensive and reasonable standards for conducting yard sales in unincorporated areas (UIA) within Los Angeles County (County). Under this ordinance, a yard sale is authorized as an accessory and temporary use on any private property with one or more dwelling units, in any zone, subject to the standards contained in the ordinance. A calendar year system is established to monitor yard sales, with one designated weekend per month to conduct a yard sale at a property. Two additional yard sales can be conducted on non-designated weekends during the calendar year provided they are registered with Regional Planning prior to the yard sale. Registration is required only for non-designated weekends. If a yard sale is conducted without prior registration on a non-designated weekend, retroactive registration shall only be permitted for one of these events. This ordinance amendment enhances enforcement procedures to allow for more effective abatement of unpermitted yard sales that create blight in the UIAs (**See Attachment A: Draft Ordinance, Attachment B: New Ordinance Features with Pros and Cons Matrix, and Attachment C: Draft Registration Form**).

LOCATION: Unincorporated communities of Los Angeles County.

BACKGROUND

The problem of extended yard sales affects UIAs throughout the County. Due in part to the recent economic recession, many residents in the UIAs conduct daily, weekly, and monthly yard sales from residences to make supplemental income. Some yard sale operators conduct yard sales as an addition to, or in lieu of, traditional storefront businesses.

Extended yard sales have several negative impacts on UIAs. Extended yard sales invite increased foot and vehicular traffic on residential streets, which results in the transformation of residential communities into veritable commercial areas. Yard sale merchandise is displayed on public sidewalks hindering safe access for pedestrians. Operators of yard sales post and leave signage on utility poles in the public right of way, causing visual blight. Operators also frequently sell new retail merchandise, food and beverages, and pre-packaged goods, in violation of existing County codes and without paying business and sales taxes. In doing so, yard sale operators unfairly compete with storefront businesses in the UIAs. Extended yard sales disrupt community harmony and diminish quality of life. Existing Title 22 codes pertaining to yard sales do not adequately address the problem today (**See Attachment D: Inspection Photographs**).

On April 9, 2013, on a motion by Supervisor Ridley-Thomas, the Board of Supervisors (Board) directed Sheriff, Regional Planning, Treasurer and Tax Collector, and Public Health departments, as well as the Offices of the District Attorney and County Counsel, to review existing County ordinances related to yard sales and unpermitted vending on public and private property, and to draft ordinances, or amend existing ordinances, to allow for more effective enforcement of these problems (**See Attachment E: Board Motion**). On January 23, 2014, the County agencies submitted a follow-up report to the Board (Board Report). Among the recommendations, the agencies recommended updating Title 22 to enable more effective and efficient yard sale enforcement (**See Attachment F: Board Report**).

ISSUES

Current County Codes for Yard Sales

Currently, the Zoning Ordinance only regulates yard sales in areas zoned residential and agricultural. In 1994, the County adopted an ordinance regulating the sale of personal property, otherwise known as “yard sales,” in all of the R-zones. The County adopted an ordinance regulating yard sales in the A-zones in 1996. Both ordinances were developed in response to community complaints about excessive yard sales conducted from homes in the UIAs.

The current ordinance regulating yard sales in R-zones reads:

22.20.065 Sale of personal property.

The following supplementary standards shall apply to any person selling personal property at a yard sale, garage sale or similar event at a residence:

- A. Items offered for sale shall be limited to personal property not acquired for resale, and either owned by the resident of the dwelling where the sale is to be conducted, or owned by another person participating in the sale with the resident.*
- B. One on-site advertising sign, having a maximum area of four square feet, may be placed facing each street abutting the residence.*
- C. A maximum of two personal property sales, each not exceeding three consecutive days, may be conducted at any site in any 12-month period.*
- D. Personal property sales shall not be conducted between the hours of 6:00 p.m. of one day and 7:00 a.m. of the following day.*

For agriculturally zoned parcels, the current ordinance regulating yard sales reads:

22.20.065 Sale of personal property.

The following supplementary standards shall apply to any person selling personal property at a yard sale, garage sale or similar event at a residence.

- A. *Items offered for sale shall be limited to personal property not acquired for resale, and either owned by the resident of the dwelling where the sale is to be conducted, or owned by another person participating in the sale with the resident.*
- B. *One on-site advertising sign, having a maximum area of four square feet, may be placed facing each street abutting the residence.*
- C. *A maximum of two personal property sales, each not exceeding three consecutive days, may be conducted at any site in any 12-month period.*
- D. *Personal property sales shall not be conducted between the hours of 6:00 p.m. of one day and 7:00 a.m. of the following day.*
- E. *This section shall not modify the provisions for accessory uses in Section 22.24.080, regarding on-site display, advertising and sale of any products lawfully produced on the same lot or parcel of land.*

Enforcement challenges

Current County codes relating to yard sales are difficult to enforce and do not adequately address the problem of extended yard sales. The existing zoning codes allow up to two (2) yard sales conducted at a site during “any 12-month period”, on any day, and lasting up to three days for each sale. No permit or registration is required. The lack of a calendar year system and designated days for yard sales makes it difficult for Zoning Enforcement staff to monitor the occurrence of yard sales throughout a 12-month period. Although yard sales traditionally have been conducted as weekend events, existing County codes allow yard sales to be held any day of the week. The current definition of sellable items is limited in scope and allows persons other than the resident to join the event. The standards are silent on where merchandise can be displayed. The provision for yard sale signage does not indicate when signs shall be posted and removed. In the UIAs, there are many legal nonconforming residences located outside of R-zones or A-zones. Because current yard sale codes apply only to R-zones and A-zones, legal nonconforming residences cannot legally conduct yard sales on-site. The non-applicability of the current yard sale codes also makes it difficult for Zoning Enforcement staff to regulate extended yard sales at legal nonconforming residences. All of the conditions outlined above create difficulties for Zoning Enforcement staff to investigate and abate unpermitted yard sales in the UIAs.

Yard sale enforcement case data, 2008-October 2014

Staff analyzed data on all yard sale enforcement cases opened between 2008 and October 2014 in the UIAs. A total of 407 cases were opened during this six-year span in four of the five supervisorial districts in the County (there were no cases in the Third Supervisorial District). The Second Supervisorial District had the highest enforcement activity with 218 yard sale enforcement cases (**See Attachment G: Lennox Yard Sale Study**). The First Supervisorial District also had high activity with 159 cases. The Fifth Supervisorial District had 24 cases. Lastly, there were 6 yard sale enforcement cases in the Fourth District during this time period.

Staff’s review of the complaint logs also disclosed other zoning code violations at the subject properties, such as maintaining junk and salvage materials, trash and debris, inoperable vehicles, garage conversions and unpermitted structures. The data indicated that properties

conducting unpermitted yard sales had a high probability of maintaining other violations that cause blighted conditions.

Staff noted that the enforcement data correlated to cases that were opened in response to public complaints, referrals from other agencies, or proactive surveys conducted by Zoning Enforcement.

Survey of other cities

Staff surveyed fifteen (15) cities in the County to determine permitting requirements and standards for yard sales. Cities of varying population sizes in all five supervisorial districts were examined. The survey findings are summarized in **Attachment H**.

Illegal vending

This ordinance amendment is a separate planning effort from the concurrent effort by the Office of County Counsel to update laws regulating street vending in response to the Board Motion (**See Attachment E**). The Los Angeles County Sheriff's Department will be the enforcers for street vending when that ordinance is adopted.

ANALYSIS

General Plan

California law requires a Zoning Ordinance amendment to be consistent with the jurisdiction's General Plan. To ensure consistency with the County's General Plan, a review was performed of the existing General Plan, as amended, for relevant goals and policies. The review disclosed that this proposed ordinance amendment is complementary to and consistent with the County's General Plan.

The proposed ordinance amendment supports the following goals and policies of the 1980 General Plan and 2014 Housing Element Update:

1980 General Plan

General Policies

Policy 39: Emphasize the preservation, conservation, and maintenance of stable residential areas.

Policy 44: Preserve sound residential areas and protect them from intrusion of incompatible uses.

Land Use Element

Policy 8: Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing, and traffic.

2014 Housing Element Update

Goal 5: Neighborhoods that protect Health, Safety, Welfare of the community, and enhance public and private efforts to maintain, reinvest in, and upgrade the existing housing supply.

Policy 5.3: Enforce health, safety, building and zoning laws directed at property maintenance as an ongoing function of the County government.

Goal 6: An adequate supply of housing preserved and maintained in sound condition, and located within safe and decent neighborhoods.

Policy 6.1: Invest public and private resources in the maintenance and rehabilitation of existing housing to prevent or reverse neighborhood deterioration.

Staff has determined that the proposed ordinance amendment is consistent with the goals and policies of the adopted 1980 General Plan and 2014 Housing Element Update. The ordinance modernizes and strengthens the County's yard sale regulations. The ordinance provides staff with stronger enforcement tools to abate extended yard sales that disrupt community harmony and cause blight.

Environmental

The project qualifies for a Class 4, Minor Alterations to Land, Categorical Exemption from the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the County environmental guidelines. Yard sales are a minor, accessory, and temporary use having no effects on the environment.

PUBLIC NOTIFICATION

A copy of the public hearing notice was transmitted to six County public libraries for public review and mailed to interested stakeholders in Los Angeles County. A legal advertisement was published in two newspapers of general circulation (*La Opinion* and *Los Angeles Daily News*) on October 20, 2014, pursuant to Public Resources Code Section 21092 (**See Attachment I: Hearing Notice**). Case information was also posted to the Department of Regional Planning's project website located at <http://planning.lacounty.gov/yard> and the project's case downloads website at <http://planning.lacounty.gov/case/view/r2014-01331/>.

COMMENTS

Agency Comments

The following County departments were consulted on this project: County Counsel, Public Works, Fire, Public Health, Sheriff, and Parks and Recreation. The proposed ordinance amendment reflects their comments.

Public Comments

To date, staff received three (3) public comments supporting adoption of this amendment from the Florence-Firestone Code Enforcement Strategic Focus Area group, the Southwest Community Association, and a resident of the Florence-Firestone community (**See Attachment J: Public Comments**).

STAFF RECOMMENDATION

Staff recommends that the Regional Planning Commission close the public hearing, adopt the draft Ordinance, and forward Project No. R2014-01331-(1-5) to the Board of Supervisors for consideration in a public hearing.

SUGGESTED MOTION

"I move that the Regional Planning Commission close the public hearing, adopt the proposed amendments to Title 22, and forward Project No. R2014-01331 to the Board of Supervisors for consideration in a public hearing."

Prepared by: Jonathan Pacheco Bell, Regional Planning Assistant II
Reviewed by: Carmen Sainz, Supervising Regional Planner

11/06/14

Attachments:

- A. Draft Ordinance (October 2014)
- B. New Ordinance Features with Pros and Cons Matrix
- C. Draft Registration Form
- D. Inspection Photographs
- E. Board Motion
- F. Board Report
- G. Lennox Yard Sale Study
- H. Other Jurisdictions Survey Findings
- I. Hearing Notice
- J. Public Comments

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES, CALIFORNIA
PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005
(Yard Sale Ordinance Update)**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has reviewed the matter of amendments to Title 22 (Planning and Zoning) of the Los Angeles County Code to repeal existing regulations in Sections 22.20.065 of Residential Zones (R-zone) and 22.24.065 of Agriculture Zones (A-zone) of the County Code and add a new Part 30 to General Regulations Chapter 22.52 addressing the sale of personal property at a yard sale, garage sale, moving sale or similar event occurring from a dwelling unit; and

WHEREAS, the Commission finds as follows:

1. On April 9, 2013, on a motion by Supervisor Ridley-Thomas, the Board of Supervisors (Board) directed the Departments of Sheriff, Regional Planning, Treasurer and Tax Collector, and Public Health, as well as the Offices of the District Attorney and County Counsel, to review existing County ordinances related to yard sales and unpermitted vending on public and private property, and to draft ordinances, or amend existing ordinances, to allow for more effective enforcement of these problems.
2. On January 23, 2014, the County departments submitted a Board Report which included recommendations. Among the recommendations, the departments recommended updating Title 22 to enable more effective and efficient enforcement of yard sale activity.
3. Title 22 only regulates yard sale activity in residential and agricultural zones. In 1994, the County adopted an ordinance regulating the sale of personal property, otherwise known as "yard sales," in the residential zones. The County adopted an ordinance regulating yard sales in the agricultural zones in 1996.
4. Existing Title 22 codes pertaining to yard sales do not adequately address the problem of extended yard sales today.
5. Extended yard sales invite increased foot and vehicular traffic on residential streets, which results in the transformation of residential communities into veritable commercial areas. Yard sale merchandise is displayed on public sidewalks hindering safe access for pedestrians. Operators of yard sales post and leave signage on utility poles in the public right of way, causing visual blight. Operators also frequently sell new retail merchandise, food and beverages, and pre-packaged goods, in violation of existing County codes and without paying business and sales taxes. In doing so, yard sale operators unfairly compete with storefront businesses in the County. Extended yard sales disrupt community harmony and diminish quality of life.

6. The resulting Yard Sale Ordinance Update, presented as Project No. R2014-01331-(1-5), establishes comprehensive and reasonable standards for conducting yard sales in unincorporated areas within the County, on privately owned property.
7. The Yard Sale Ordinance Update authorizes a yard sale as an accessory and temporary use on any private property with one or more dwelling units, in any zone, subject to the standards contained in the ordinance.
8. The Yard Sale Ordinance Update establishes a calendar year system to monitor yard sales, with one designated weekend per month to conduct a yard sale at a property. Two additional yard sales can be conducted on non-designated weekends during the calendar year provided they are registered with Regional Planning prior to the yard sale. Registration is required only for non-designated weekends. If a yard sale is conducted without prior registration on a non-designated weekend, retroactive registration shall only be permitted for one of these events. The ordinance amendment enhances enforcement procedures to allow for more effective abatement of unpermitted yard sales that create blight in the County.
9. The Yard Sale Ordinance Update was developed with input from allied County departments, including County Counsel, Public Works, Fire, Public Health, Sheriff, and Parks and Recreation.
10. The Yard Sale Ordinance Update is a separate planning effort from the concurrent effort by the Office of County Counsel to update laws regulating street vending in response to the Board Motion. The Los Angeles County Sheriff's Department will be the enforcers for street vending when that ordinance is adopted.
11. The Yard Sale Ordinance Update is consistent with the goals and policies of the adopted 1980 General Plan and 2014 Housing Element Update.
12. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, and Section 21092 of the Public Resources Code, the public was appropriately notified of the public hearing. A copy of the public hearing notice was transmitted to six County public libraries for public review and mailed to interested stakeholders. A legal advertisement was published in two newspapers of general circulation (*La Opinion* and *Los Angeles Daily News*). Case information was also posted to the Department of Regional Planning's project website located at <http://planning.lacounty.gov/yard> and the project's case downloads website at <http://planning.lacounty.gov/case/view/r2014-01331/>.

13. The adoption of the Yard Sale Ordinance Update is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304(e) of Title 14 of the California Code of Regulations.

NOW, THEREFORE, BE IT RESOLVED THAT, the Regional Planning Commission recommends that the Los Angeles County Board of Supervisors:

1. Conduct a public hearing to consider the proposed amendments to Title 22 (Planning and Zoning) of the Los Angeles County Code to repeal existing regulations in Sections 22.20.065 of Residential Zones (R-zone) and 22.24.065 of Agriculture Zones (A-zone) of the County Code and add a new Part 30 to General Regulations Chapter 22.52 addressing the sale of personal property at a yard sale, garage sale, moving sale or similar event occurring from a dwelling unit; and
2. Certify that the adoption of the Yard Sale Ordinance Update is exempt from California Environmental Quality Act (CEQA) environmental review pursuant to Section 15304(e) of Title 14 of the California Code of Regulations; and
3. Adopt the attached ordinance amending Title 22 (Planning and Zoning) of the Los Angeles County Code and determine that it is compatible with and supportive of the goals and policies of the Los Angeles County General Plan.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on November 19, 2014.

By: _____
Rosie O. Ruiz, Commission Secretary
Regional Planning Commission
County of Los Angeles

APPROVED AS TO FORM:
OFFICE OF THE COUNTY COUNSEL

By: _____
Sari J. Steel, Principal Deputy County Counsel
Property Division

VOTE

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date: November 19, 2014

Attachment A: Draft Ordinance

ORDINANCE NO. ____ (DRAFT) ____

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code relating to the sale of personal property at a yard sale, garage sale, moving sale or similar event at a residence.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.20.065 and 22.24.065 of Title 22 are hereby repealed in their entirety.

SECTION 2. Part 30 of Chapter 22.52 is hereby added to read as follows:

Part 30

YARD SALES

22.52.3100. Purpose. The purpose of this Part 30 is to establish comprehensive and reasonable standards for the sale of personal property at a yard sale, garage sale, moving sale or similar event at a residence. The sale of personal property shall be known as a “yard sale” for the purposes of this Part 30. A yard sale is authorized as an accessory and temporary use on any property with one or more dwelling units, subject to the standards contained herein. A calendar year system is established to track yard sales, with one designated weekend per month to conduct a yard sale. Operators of a yard sale are permitted up to two non-designated weekends during the calendar year to conduct additional yard sales with prior registration. This Part 30 enhances enforcement procedures to abate unpermitted or extended yard sales that create blight in communities.

22.52.3110. Applicability. The standards in this Part 30 shall apply to any property with one or more dwelling units, in any zone.

22.52.3120. Properties Permitted to Conduct Yard Sales. A yard sale is permitted as an accessory and temporary use on any property with one or more dwelling units, in any zone. For the purposes of this Part 30, a yard sale shall be associated with a currently occupied dwelling unit.

22.52.3130. Designated Weekends.

A. Yard sales are permitted to be held for a maximum of two consecutive days during the last combined Saturday and Sunday occurring within the same month, in each month of the calendar year. For the purposes of this Part 30, these days shall be known as “designated weekends.”

B. Yard sales shall not be held Monday through Friday.

22.52.3140. Registration Required for Additional Yard Sales.

A. Up to two additional yard sales may be permitted on a property during a calendar year, with each yard sale held for a maximum of two consecutive days on any combined Saturday and Sunday occurring within the same month outside of the monthly designated weekends. For the purposes of this Part 30, these additional days shall be known as “non-designated weekends.”

B. Prior to conducting any additional yard sales on a non-designated weekend, the operator shall first register the additional yard sale with the Department. Proof of registration shall be made available for inspection during the yard sale.

22.52.3150. Yard Sales Per Dwelling Unit. Each dwelling unit on a property is permitted to conduct yard sales during a designated weekend and/or with registration on a non-designated weekend.

22.52.3160. Operational Standards.

A. Hours of Operation. A yard sale shall be held only between the hours of 7:00 a.m. and 6:00 p.m.

B. Authorized Operators. Only the property owner or tenant of the dwelling unit is permitted to conduct the yard sale.

C. Restrictions on Saleable Items.

1. Yard sale items offered for sale shall be limited to secondhand, household, or incidental personal items owned by the property owner or tenant of the dwelling unit where the yard sale is conducted.

2. Yard sale items offered for sale shall not include retail merchandise, new, unused or pre-packaged items, distributor packaged items intended for retail sales, or any food and beverages.

D. Location of Saleable Items.

1. Yard sale items shall only be displayed in front and side yards.

2. Yard sale items shall not be placed in the public right of way.

E. Signage.

1. A maximum of two temporary advertising signs may be placed on the property conducting a yard sale.

2. Each temporary advertising sign is permitted a maximum area of four square feet. The sign may be displayed one day prior to and during the yard sale and shall be removed immediately at the end of the yard sale.

3. Yard sale signs shall not be placed in the public right of way.

22.52.3170. Enforcement Procedures.

A. Pursuant to Section 22.60.390.A, the Director or designee is authorized to issue a Final Zoning Enforcement Order, without prior issuance of a Notice of Violation, to any person conducting a yard sale not in compliance with the provisions of this Part 30. The Final Zoning Enforcement Order shall subject the non-compliant operator to enforcement actions pursuant to Section 22.60.390, and to any civil and criminal remedies.

B. If a yard sale is conducted on a non-designated weekend without registration, the operator shall retroactively register the yard sale with the Department within fifteen calendar days of the event. Retroactive registration shall also be obtained within fifteen calendar days immediately following the compliance date specified in a Final Zoning Enforcement Order, Notice of Violation, or field notice of violation.

C. Notwithstanding the provisions of Sections 22.52.3140.B and 22.52.3170.B, retroactive registration will not be permitted for a second violation of Sections 22.52.3140.B or 22.52.3170.B that occurred within the same calendar year.

D. If retroactive registration is not obtained within the fifteen-day period specified in Section 22.52.3170.B, the Director or designee shall have the authority to assess the noncompliance fee in accordance with Section 22.60.390.C, and may seek civil and criminal remedies.

E. Nothing in this Section shall preclude the Director or designee from issuing a warning, field notice of violation, Notice of Violation, or citation prior to issuing a Final Zoning Enforcement Order for a non-compliant yard sale.

Attachment B: New Ordinance Features with Pros and Cons Matrix

Countywide Yard Sale Ordinance Update, R2014-01331 / RADV201400005 – New features highlights

New feature of Yard Sale Ordinance	Pros	Cons
Yard sales allowed on any property with one or more legal dwelling units, in any zone	<ul style="list-style-type: none"> • Legal nonconforming dwellings in non-residential zones eligible for yard sales • Demonstrates fairness, equity 	<ul style="list-style-type: none"> • Appears inconsistent with other zoning codes (e.g. allows outdoor display-type use if there's commercial use on-site)
Each dwelling unit on the property is allowed to conduct a yard sale in compliance with the provisions of the ordinance	<ul style="list-style-type: none"> • Demonstrates fairness, equity for all residents and units on-site 	<ul style="list-style-type: none"> • Can lead to appearance of excessive yard sales on the property, the "swap meet effect" • Makes it more challenging to enforce
Calendar year system established	<ul style="list-style-type: none"> • More efficient yard sale monitoring and enforcement 	<ul style="list-style-type: none"> • Limits sellers' flexibility, compared to the current "any 12-month period" allowance
Increases yard sales from 2 to 12 by-right in one calendar year	<ul style="list-style-type: none"> • More flexibility for sellers • Demonstrates balance and equity 	<ul style="list-style-type: none"> • Complainants will oppose increase
Prohibits Monday–Friday yard sales	<ul style="list-style-type: none"> • More efficient enforcement • Solidifies for sellers and staff that Saturday and Sunday are the only yard sale days • Reasonable and consistent with other jurisdictions 	<ul style="list-style-type: none"> • Limits flexibility for sellers/buyers
Prescribes last weekend of the month (Saturday and Sunday) as the Designated Weekend when yard sales can be conducted	<ul style="list-style-type: none"> • More efficient enforcement • Pre-established calendar allows sellers to plan ahead 	<ul style="list-style-type: none"> • Limits flexibility for sellers/buyers • Limits yard sales on other weekends, except with prior DRP registration
Allows up to 2 Non-designated Weekends during calendar year to conduct additional yard sales, only with prior DRP registration	<ul style="list-style-type: none"> • Affords flexibility for those who cannot take advantage of last weekend of the month 	<ul style="list-style-type: none"> • May cause confusion (e.g. How many extra yard sales and when?) • Concerns about staff time/resources to register additional yard sales
No-cost registration system allowing up to 2 additional yard sales on Non-designated Weekends	<ul style="list-style-type: none"> • Free registration is attractive to sellers • Registration shows empathy, flexibility • DRP's upcoming EPIC-LA database is capable of registration feature 	<ul style="list-style-type: none"> • Weekend inspections will be on overtime; with free registration, there's no cost-recovery for department • May cause confusion (e.g. Is registration always required?)

New feature of Yard Sale Ordinance	Pros	Cons
Retroactive registration allowed for 1 yard sale conducted on a Non-designated Weekend	<ul style="list-style-type: none"> • Allows one-time grace period for sellers • Demonstrates reasonableness, fairness 	<ul style="list-style-type: none"> • May be exploited by some sellers • Some sellers will think retroactive registration is always available
<u>Revised Operational Standards:</u> Expanded definition for restricted saleable items	<ul style="list-style-type: none"> • Precise, clear, inclusive definition prohibiting new, retail, pre-packaged items • Clearly defines yard sale items as non-retail, personal property only • Food and drinks prohibited 	<ul style="list-style-type: none"> • Some sellers may object to expanded list
<u>Revised Operational Standards:</u> Location of saleable items defined – only front and side yards	<ul style="list-style-type: none"> • Specifies yard areas allowable for sales • Expressly prohibits merchandise on public right-of-way 	<ul style="list-style-type: none"> • Verify Zoning Code applicability to public right-of-way
<u>Revised Operational Standards:</u> Revised signage standards	<ul style="list-style-type: none"> • Stipulates when/where yard sale signs can be placed on property • Expressly prohibits signs on public right-of-way 	<ul style="list-style-type: none"> • Verify Zoning Code applicability to public right-of-way
<u>Enhanced Enforcement Procedures:</u> ZE authorized to issue immediate Final Zoning Enforcement Order (FZEO)	<ul style="list-style-type: none"> • Expedites enforcement • More tools to gain compliance • Deterrence effect 	<ul style="list-style-type: none"> • Sellers may complain about “harshness” • Could generate more appeal hearings, which are resource-intensive
<u>Enhanced Enforcement Procedures:</u> ZE has discretion with compliance date	<ul style="list-style-type: none"> • Expedites enforcement • More tools to gain compliance • Deterrence effect 	<ul style="list-style-type: none"> • Potential overuse of “bargaining” with code violators

New feature of Yard Sale Ordinance	Pros	Cons
<p><u>Enhanced Enforcement Procedures:</u> Noncompliance fee (\$704) can be assessed within 15 days</p>	<ul style="list-style-type: none"> • Expedites enforcement • Deterrence effect • More tools to gain compliance • Encourages retroactive registration 	<ul style="list-style-type: none"> • Sellers may complain about “harshness”
<p><u>Enhanced Enforcement Procedures:</u> Faster referrals to District Attorney or County Counsel</p>	<ul style="list-style-type: none"> • Severe penalty option for egregious violators • Expedites enforcement • More tools to gain compliance • Deterrence effect 	<ul style="list-style-type: none"> • Takes more staff time/resources to file cases • Depends on District Attorney/County Counsel accepting the case
<p><u>Enhanced Enforcement Procedures:</u> Enforcement procedures in Yard Sales Ordinance Update are consistent with existing enforcement procedures. Current enforcement procedures (LACC 22.60) allow immediate issuance of a Final Zoning Enforcement Order; our practice is to issue Notice of Violation first</p>	<ul style="list-style-type: none"> • Expressly codify in new ordinance to be clear for violators and staff 	<ul style="list-style-type: none"> • Redundancy • Potential confusion
<p><u>Enhanced Enforcement Procedures:</u> ZE has discretion to issue warning, citation, Notice of Violation, or Final Zoning Enforcement Order</p>	<ul style="list-style-type: none"> • More tools to gain compliance • Deterrence effect • Demonstrates reasonableness 	<ul style="list-style-type: none"> • Potential non-use of expedited enforcement options

Last updated November 6, 2014

Attachment C: Draft Registration Form



YARD SALE REGISTRATION

Yard sale applications may be submitted in person at the Land Development Coordinating Center or Field Office, or via email at: yardsale@planning.lacounty.gov.

Incomplete applications will not be accepted.

For information, please call 213-974-6411.

FOR STAFF USE ONLY

Permit No.: _____

Sup. Dist.: _____

RFS: _____ CHW: Y / N

Previous/Pending cases: _____

Property Where Yard Sale Will Be Conducted (*Sujeto Propiedad*)

Address (Include Unit Number): _____

Nearest Cross Streets: _____

Assessor's Parcel Number: _____

Is there one or more dwelling units at this property? (*Hay una or mas casas en este propiedad?*)

NOTICE: REGISTRATION IS INVALID IF THERE IS NO DWELLING UNIT

Yes: Please sign here to affirm: _____

No: Yard sales are not allowed at this property. _____

Record Owner (*Dueño/a Registrado*)

Tenant (*Inquilino*)

Name (print): _____

Name (print): _____

Address: _____

Address: _____

City/State: _____

City/State: _____

Zip: _____

Tel/Fax: _____

Zip: _____

Tel/Fax: _____

E-mail: _____

E-mail: _____

Name (additional owner): _____

Address: _____

Non-Designated Weekend(s) Requested

Weekend 1

Weekend 2

Saturday

_____ Date (*Fecha*)

Saturday

_____ Date (*Fecha*)

Sunday

_____ Date (*Fecha*)

Sunday

_____ Date (*Fecha*)

Approval

DRP Stamp of Approval below:

Approved by: _____

Approved on: _____

Attachment D: Inspection Photographs

Yard Sale Ordinance Update – Project No. R2014-01331 / RADV 201400005



Florence-Firestone



Lennox



Quartz Hill



La Puente



Hacienda Heights



East Los Angeles



Yard sale supplier in the City of Los Angeles

Attachment E: Board Motion

Abating Illegal Vending and Extended Yard Sales

Illegal vending and extended yard sales are long-standing problems that negatively impact local businesses and drive down taxable revenues. Community complaints about illegal vending and extended yard sales throughout Los Angeles County (County) have been on the rise and the County's ability to completely abate this nuisance under its current ordinances has proven difficult. Illegal vending activity is a problem both in the public right-of-way, as well as on private property. In some communities, yard sales are often an everyday occurrence and have been described as outdoor flea markets. Both activities are a blight on communities.

The County should do more to determine what changes, if any, can be made to strengthen County ordinances to effectively combat these activities and to mitigate the problems they create. As such, the Departments of Sheriff, Regional Planning, Treasurer and Tax Collector and Public Health, and the Offices of the District Attorney and County Counsel, should meet to review existing County ordinances and any other

- MORE -

MOTION

MOLINA _____

YAROSLAVSKY _____

KNABE _____

ANTONOVICH _____

RIDLEY-THOMAS _____

applicable statutory law, as well as current enforcement practices and procedures, and if possible, to propose changes to the County Code in order to better enable enforcement to abate these problem activities.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

- 1) Direct the Departments of Sheriff, Regional Planning, Treasurer and Tax Collector and Public Health, and the Offices of the District Attorney and County Counsel to meet and review existing Los Angeles County ordinances and any other applicable statutory law, as well as current enforcement practices and procedures;
- 2) Direct County Counsel to draft ordinances, or amend existing ordinances, to allow for effective enforcement against illegal vending and extended yard sales;
- 3) Direct the Regional Planning Commission to conduct a public hearing and forward its recommendation on any proposed ordinance revisions to the Board of Supervisors for its consideration; and
- 4) Direct County Counsel to place the draft ordinance on the Board of Supervisors' agenda for consideration as soon as possible, taking into consideration all hearing posting requirements, or otherwise report back as to why this may not be possible or practical.

###

Attachment F: Board Report



Los Angeles County
Department of Regional Planning

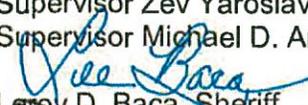
Planning for the Challenges Ahead

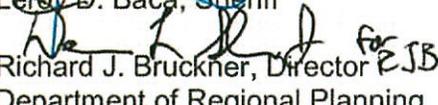


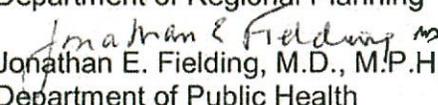
Richard J. Bruckner
Director

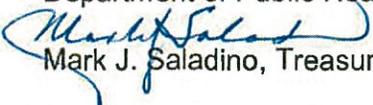
January 23, 2014

TO: Supervisor Don Knabe, Chair
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

FROM: 
Leroy D. Baca, Sheriff

 for RJB
Richard J. Bruckner, Director
Department of Regional Planning


Jonathan E. Fielding, M.D., M.P.H., Director and Health Officer
Department of Public Health


Mark J. Saladino, Treasurer and Tax Collector

RECOMMENDATION TO AMEND TITLES 7 AND 8 OF THE LOS ANGELES COUNTY CODE REGARDING VENDING ENFORCEMENT AND UPDATE ON EXTENDED YARD SALES (APRIL 9, 2013, ITEM 4)

On April 9, 2013, by motion of Supervisor Mark Ridley-Thomas, the Board adopted a motion instructing the Sheriff's Department, Department of Regional Planning (DRP), Treasurer and Tax Collector, Department of Public Health, District Attorney's Office, and the Office of the County Counsel ("Departments") to take the following actions:

1. Meet and review existing Los Angeles County ordinances and any other applicable statutory law, as well as current enforcement practices and procedures;
2. Draft or amend existing ordinances, to allow for effective enforcement against illegal vending and extended yard sales;
3. Direct the Regional Planning Commission to conduct a public hearing and forward its recommendations on any proposed ordinance revisions to the Board of Supervisors for its consideration; and
4. Place the draft ordinance on the Board of Supervisors' agenda for consideration as soon as possible, taking into consideration all hearing posting requirements, or otherwise report back as to why this may not be possible or practical.

Each Supervisor
January 23, 2014
Page 2

The Departments have met, reviewed, and considered the County's ordinances, State law, and current enforcement practices and procedures relative to the County's illegal vending problem. The consensus is that more effective enforcement against illegal vending can be achieved through amendments to Title 7 – Business Licenses of the Los Angeles County Code, relating to peddlers and solicitors and Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code, relating to vending on County highways. It is believed that amendments to the penalty provisions for certain offenses which are now misdemeanors, be instead made infractions for the first violation. Second or subsequent violations will be cited or charged as an infraction or misdemeanor. These changes will help to ensure that the more serious offenders will be referred for criminal prosecution and lead to more effective enforcement.

The Departments also reviewed and considered the County's problem with extended yard sales. Based on input from the Board's Planning Deputies, DRP has concluded that enforcement would best be achieved by amending Title 22 – Agricultural and Residential Zones of the Los Angeles County Code, relating to personal property sales or "yard sales" on private property. The amendment would allow yard sales by right on certain designated weekends and up to two additional yard sales by registration with DRP at any other time during the calendar year. This change would provide the DRP with a more efficient tool for yard sale enforcement in the communities where the problem is most pervasive and have little, if any, impact on the communities that have not raised this as a concern. In addition, although this code amendment would change current requirements, overall, County residents would be allowed to have more yard sales than the current restriction of two yard sales in any 12-month period.

It is therefore recommended that County Counsel draft an ordinance to amend Titles 7 and 8 of the Los Angeles County Code consistent with these objectives and present it to the Board for your consideration. It is also recommended that DRP draft an ordinance consistent with the above mentioned objectives and conduct appropriate public outreach prior to submission of the proposal to the Regional Planning Commission for action.

We anticipate submitting the amendments to Titles 7 and 8 to your Board sometime in the near future and then submitting the amendments to Title 22 to the Regional Planning Commission in early summer 2014. Should you have any questions or concerns, please contact Deputy Kevin Unland, at (323) 890-5411, kunland@lasd.org or Patricia Hachiya, at (213) 974-6461, phachiya@planning.lacounty.gov.

RJB:JS:PH:ra

c: Executive Office, Board of Supervisors (Hamal)
Chief Executive Office, (Fujioka)

Attachment G: Lennox Yard Sale Study

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING



YARD SALES IN LENNOX

SURVEY FINDINGS AND STAFF RECOMMENDATIONS

**Los Angeles County
Department of Regional Planning
Zoning Enforcement West**

*Published November 2013
Revised July 2014*

INTRODUCTION

Complaints have been on the rise regarding excessive yard sales and unpermitted retail businesses operating from residences in the Lennox community. At the request of the Office of Supervisor Mark Ridley-Thomas, Department of Regional Planning (DRP) zoning enforcement inspectors conducted weekend saturation surveys in Lennox from June to November 2012. This report summarizes the findings of this initiative and offers recommendations to strengthen yard sales enforcement.

EXISTING ZONING CODES

The Los Angeles County Planning and Zoning Code, Title 22, regulates the sale of personal property, AKA yard sales, in residential zones by way of the following code section:

LOS ANGELES COUNTY CODE 22.20.065

The following supplementary standards shall apply to any person selling personal property at a yard sale, garage sale or similar event at a residence:

- A. *Items offered for sale shall be limited to personal property not acquired for resale, and either owned by the resident of the dwelling where the sale is to be conducted, or owned by another person participating in the sale with the resident.*
- B. *One on-site advertising sign, having a maximum area of four square feet, may be placed facing each street abutting the residence.*
- C. *A maximum of two personal property sales, each not exceeding three consecutive days, may be conducted at any site in any 12-month period.*
- D. *Personal property sales shall not be conducted between the hours of 6:00 p.m. of one day and 7:00 a.m. of the following day.*

In addition to the above referenced code section, the Zoning Code prohibits retail businesses in residential zones by way of the home based occupation code 22.20.020 (See Appendix A).

OVERVIEW OF VIOLATIONS IN LENNOX

In Lennox, the frequency of yard sale violations varies depending on weather conditions, holidays, and local school events. Yard sales can range from zero to 20 in one day and are conducted throughout the community, from the main thoroughfares to small residential side streets. While the Zoning Code only allows for the sale of personal property, inspectors frequently find sales of newly packaged clothes, jewelry, and handbags, as well as sundry items like packs of socks, undergarments and toiletries. Conversations with sellers disclosed that many who could no longer afford to rent swap meet booths moved retail businesses to their Lennox homes. Depending on the type of merchandise and set-up found during inspections, sellers are cited using the yard sale code 22.20.065 or home-based occupation code 22.20.020.

SURVEY INITIATIVE

From June to November 2012, DRP inspectors conducted weekend yard sale surveys in Lennox. Inspectors went out two Saturdays per month on approved overtime. Inspectors notified yard sale

operators about current regulations and provided educational flyers (in English and Spanish) explaining the yard sale code (See Appendix B). A database of inspection addresses, dates, and photos collected by inspectors was developed to facilitate enhanced monitoring and enforcement.

During the 5-month survey, 81 yard sales were observed on 70 properties in Lennox. Of the 70 locations inspected, 10 properties continued to conduct yard sales after the initial inspection and warning. Staff found new retail items being sold at 8 of the 70 properties. These 8 properties received violation notices for unpermitted retail sales. No violation notices were issued for *excessive* yard sales since no properties were observed having more than 2 yard sales during the survey period.



CHALLENGES

The yard sale survey disclosed challenges for both sellers and inspectors, summarized below.

Confusion over permits

Many yard sale operators asked DRP inspectors where they can purchase permits, even though no permits are available for yard sales in the unincorporated areas. Complicating matters, some Lennox residents believe they reside in the adjacent City of Inglewood and have even obtained yard sale permits from Inglewood city hall for their properties in Lennox.

Transitory residents

While saturation enforcement helped inform residents about yard sale regulations, it was difficult to determine if sweeps discourage excessive yard sales over the long run. Demographic data indicate that transitional renter-occupied units account for about 70% of housing in Lennox. Residents do not stay long and are quickly replaced by new tenants who conceivably have no foreknowledge of the County's yard sale laws. According to the 2010 U.S. Census, about half of the Lennox population is foreign-born, and many conceivably have come from countries in which vending from one's home is a means of survival. With a median household income of \$33,995, and an estimated 32% of families living below the poverty in Lennox, recurring yard sales have become a way of life for many residents.

Implementing existing code

The current zoning enforcement process is effective for abating violations that are hard to conceal or relocate, such as garage conversions and illegal structures. But the enforcement process is cumbersome for yard sales, which are inherently temporary and potentially movable.

The existing yard sale code itself is difficult to enforce. Without a permit requirement, DRP inspectors do not know when yard sales are taking place. This makes it difficult to track the first and subsequent yard sales conducted throughout the year, which the current code indicates as “any 12-month period”, not a calendar year. Inspectors ask operators if previous yard sales have been conducted on-site and hope for honest answers. Observed and reported yard sale dates are entered into a database for tracking.

The existing code allows yard sales for each dwelling unit on the premises regardless of whether the use is a single-family residence or apartment building. Under existing provisions allowing two yard sales annually, each sale lasting 3 days, a 30-unit apartment building could conceivably hold yard sales spanning 180 days throughout the year. When inspectors contact sellers at apartment buildings, the sellers’ exact addresses cannot always be verified short of them producing current and valid ID.

Another difficulty arises from yard sales conducted by operators other than the owner or occupant of a property, in violation of the existing code. Staff has found that some Lennox residents rent out their front yards to yard sale operators from other areas.

The existing code allows 2 yard sales by-right within any 12-month period. DRP inspectors must catch and document at least 3 yard sales to issue the first Notice of Violation. A fourth documented yard sale triggers issuance of a Final Zoning Enforcement Order. Inspectors must document a fifth yard sale to assess a noncompliance fee. If violations continue, the case may be referred to District Attorney’s Office for a criminal complaint. These yard sales must occur inside a 12-month period for the enforcement process to move forward.

12-Month Period					
1 st Yard Sale	2 nd Yard Sale	3 rd Yard Sale	4 th Yard Sale	5 th Yard Sale	6 th Yard Sale
Allowed	Allowed	Notice of Violation	Final Zoning Enforcement Order	Second Notice of Non-compliance Fee	District Attorney referral



RECOMMENDATIONS

While increasing inspection staff creates a larger visual presence in Lennox, there are more efficient ways to address excessive yard sales in the community. Short-term solutions to consider are: 1) establish a swap meet for sellers, and 2) involve law enforcement in inspections to expedite enforcement. The long-term solution is to revise and strengthen the yard sale zoning code to enable more efficient enforcement.

1) ESTABLISH A SWAP MEET FOR SELLERS

A swap meet should be established and made available to Lennox residents who conduct yard sales. The swap meet offers buyers and sellers a centralized place that keeps sales local and controlled. Public outreach should be done to maximize awareness. The cost of booth space should be minimal to encourage participation. The County should consider using a local park to host the event. A swap meet for yard sale sellers will go a long way towards decreasing commercial activities at residential properties.

2) ENACT LAW ENFORCEMENT PARTNERSHIPS

DRP should partner with the Sheriff's Department on yard sales enforcement. Lennox sheriff's deputies are in the area 24/7 and already serve as eyes and ears in the field. They can enhance yard sale observations and enforcement. DRP can show deputies what to look for and how to interpret the yard sale code. DRP can provide yard sale flyers that deputies can give sellers while making contact at yard sales. If feasible, deputies can take photographs of a yard sale and the seller's ID and provide this information to DRP inspectors for follow-up. Also if feasible, deputies can write brief reports about their contacts with sellers. Yard sale reports can then be provided to DRP inspectors as evidence in enforcement cases.

Previously, Lennox deputies were effective in reducing yard sales. Law enforcement attention (i.e. threat of citations or arrest) instills more apprehension in sellers than inspections by civilian county employees. Lennox deputies see yard sale sellers on a daily basis and can put added pressure on them to comply. Law enforcement can also deal with the tertiary effects of yard sales, such as excess vehicular traffic and sale of stolen property at yard sales.

DRP and the Sheriff's Department should collaborate on yard sales monitoring and enforcement. More joint inspections and information-sharing should be done between the departments. The departments should also consider including Treasure Tax Collector's business license inspectors in this effort, as they have the authority to cite for vending, peddling, and sales on private property and the public right-of-way. A collaborative approach will make regulation more comprehensive and effective.

3) STRENGTHEN YARD SALE ZONING CODE

The most effective way to combat excessive yard sales is to update the County Code which governs yard sales in the County. Existing County yard sale laws are difficult to enforce. Many cities in L.A. county have similar yard sale regulations but also require yard sale permits. In other cities, sellers without permits or those operating on undesignated sales days can be fined immediately. The fines are less than the \$704 non-compliance fee that is imposed by DRP, but are not so small to go unnoticed. Permits can be used to track yard sales as well. Having a yard sale permit process would alleviate the additional staffing needed to inspect yard sales. Yard sale permits would create a potential revenue stream for the County. Making permits available online would be convenient for sellers and would enhance tracking by staff.

Surrounding jurisdictions have less geographic territory than the County. Within their borders, cities have more efficient ways of regulating yard sales through automated permits and processes. Some cities have seasonal yard sale days when everyone is allowed to have a yard sale, but prohibit yard sales other

days in the year. In cities that are equally or more dense than Lennox, multi-family dwellings can have up to 2 sales per building, as opposed to individual units each having yard sales.

Much can be learned from examining existing yard sale regulations in other cities. The below table outlines yard sales regulations in a sampling of cities in Los Angeles County:

	Carson	Gardena	Hawthorne	Long Beach	Pasadena	Glendale	Inglewood	Los Angeles
Permit Required?	Yes	Yes	Yes	Yes	Yes	No	Yes	No
Permit Online?	Yes	Yes	Yes	Yes	Yes	No	Yes	No
Violations finable immediately?	Yes	Yes	Yes	Yes	No	No	No	No
Multi-unit buildings allowed same number of yard sales or fewer than Single-family dwellings?	No	No	No	Yes	No	Yes	No	No
Designated Yard Sale days?	No	No	No	No	No	No	Yes	No

Source: Daily Breeze website, http://www.dailybreeze.com/ci_12556000

APPENDIX A

LOS ANGELES COUNTY CODE 22.20.020 Home-based occupations—Regulations

- A. *Home-based occupations may be established in order that a resident may carry on a business activity which is clearly incidental and subordinate to a dwelling unit in a residential zone. The establishment of a home-based occupation shall be compatible with the surrounding neighborhood and uses, and shall not adversely change the character of the dwelling unit or detract from the character of the surrounding neighborhood. Every home-based occupation shall be subject to the following standards:*
1. *The home-based occupation shall be demonstrably secondary and incidental to the primary dwelling unit and shall not change the character and appearance of the dwelling unit.*
 2. *The home-based occupation shall not be conducted in any attached or unattached structure intended for the parking of automobiles.*
 3. *The home-based occupation shall not create or cause noise, dust, vibration, odor, gas, fumes, smoke, glare, electrical interferences, hazards or nuisances. There shall be no storage or use of toxic or hazardous materials other than the types and quantities customarily found in connection with a dwelling unit, as permitted by this Title 22. No noise or sound shall be created which exceeds the levels contained in Chapter 12.08 (Noise Control) of the Los Angeles County Code.*
 4. *There shall be only one home-based occupation per dwelling unit.*
 5. *The use shall be conducted only by persons residing within the dwelling unit, except that no more than one person not residing on the premises may be employed, either for pay or as a volunteer, to work on the premises as part of the home-based occupation carried on in the dwelling unit. One on-site standard sized parking space shall be provided for such employee or volunteer in addition to other required parking set forth in this Title 22.*
 6. *Signage, in any form, that indicates, advertises, or otherwise draws attention to the home-based occupation is prohibited.*
 7. *No stock in trade, inventory or display of goods or materials shall be kept or maintained on the premises, except for incidental storage kept entirely within the dwelling unit.*
 8. *No mechanical equipment is permitted in connection with the home-based occupation, other than light business machines, such as computers, facsimile transmitting devices and copying machines.*
 9. *The home-based occupation shall not involve the use of commercial vehicles for delivery of materials and products to or from the premises in excess of that which is customary for a dwelling unit or which has a disruptive effect on the neighborhood. Such delivery services can include, but are not limited to, United States mail, express mail and messenger services. No tractor trailer or similar heavy duty delivery or pickup shall be permitted in connection with the home-based business.*
 10. *Activities conducted and equipment or material used shall not change the type of construction of the residential occupancy and shall be subject to all required permits.*
 11. *The home-based occupation shall not generate pedestrian or vehicular traffic in excess of that which is customary for a dwelling unit, or which would have a disruptive effect on the neighborhood.*

12. *No more than one client visit or one client vehicle per hour shall be permitted, and only from 8:00 a.m. to 8:00 p.m., Monday through Friday, in connection with the home-based occupation.*
13. *The home-based occupation shall cease when the use becomes detrimental to the public health, safety and welfare, or constitutes a nuisance, or when the use is in violation of any statute, ordinance, law or regulation.*
- B. *The following uses are prohibited:*
 - *Adult entertainment.*
 - *Ambulance service.*
 - *Animal training.*
 - *Automotive repair, painting, body/fender work, upholstery, detailing, washing, including motorcycles, trucks, trailers and boats.*
 - *Beautician or barber.*
 - *Body piercing.*
 - *Dentist, except as a secondary office which is not used for the general practice of dentistry, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere.*
 - *Funeral chapel or home.*
 - *Firearms manufacturing or sales.*
 - *Garment manufacturing.*
 - *Gunsmith.*
 - *Massage therapist, unless the therapist has procured a massage technician's business license and a massage parlor business license, as needed.*
 - *Medical physician (nonpsychiatric), except as a secondary office which is not used for the general practice of medicine, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere.*
 - *Photography lab, other than for occupant's own use.*
 - *Recording/motion picture/video production studio, except for editing or pre-recorded material.*
 - *Restaurant.*
 - *Retail sales.*
 - *Tattoo studio.*
 - *Upholstery.*
 - *Tow truck service.*
 - *Veterinary services and other uses which entail the harboring, training, care, breeding, raising or grooming of dogs, cats, birds, or other domestic animals on the premises, except those which are permitted by this article (other than those owned by the resident).*
 - *Welding or machine shop.*
 - *Yoga/spa retreat center.*
 - *Any other use which disrupts and is inconsistent with the residential character of the neighborhood is prohibited.*

Yard/Garage Sales Regulations

In the Unincorporated LA County

County of Los Angeles Department of Regional Planning Zoning Enforcement officers provide for the safety, health and welfare of citizens living and working in unincorporated Los Angeles County neighborhoods through enforcement of the zoning code. This flyer is to assist you in becoming a responsible property owner or tenant and prevent unsafe or offensive uses of property, while promoting and maintaining the quality of life in our community.

You must obey the following rules when conducting a yard sale, garage sale or similar event:

- You can only sell personal property
- You must be the resident of the dwelling where the sale takes place.
- You cannot sell new items or items bought for resale
- You may place one on-site sign up to 4 sq. ft. in area
- Up to 2 sales are allowed per dwelling unit in any 12-month period
- Each sale shall be limited to maximum 3 consecutive days
- You shall not conduct the sale between 6:00 p.m. and 7:00 a.m.



Individuals found in violation of these standards will be cited and may be subject to non-compliance fees and referred to the District Attorney's Office for prosecution !!!



For More Information Please Contact
Department of Regional Planning Zoning Enforcement
(213) 974-6453 or (213) 974-6483. Mon-Thur 7:30 am-6:00 pm
(213) 974-6602 (Voicemail To Be Retrieved by Officers On-Duty) Fri-Sun



Reglas Para Ventas de Artículos Usados en el Condado de Los Angeles

Los oficiales del Departamento de Planificación del Condado de Los Angeles se dedican a la seguridad, la salud y el bienestar de los habitantes que viven y trabajan en las comunidades no incorporadas del Condado de Los Angeles, por medio de la imposición del código de zonas. Este volante es para ayudarles a ser mejores propietarios e inquilinos y para prevenir usos terrenales ofensivos e inseguros, y al mismo tiempo para promover y mantener la calidad de vida en nuestra comunidad.

Las siguientes reglas se deben cumplir al llevar a cabo una venta de artículos usados o cualquier otra venta similar:

- **Solamente se permite vender artículos personales**
- **Debe ser residente de la vivienda donde se llevara a cabo la venta**
- **No se permite vender artículos nuevos o de reventa**
- **Se permite mantener solamente un rotulo de cuatro pies cuadrados en la área de venta**
- **Solamente se permiten dos ventas por año**
- **Las ventas están limitadas a tres días consecutivos**
- **No se permiten ventas entre las 6 p.m. y las 7 a.m.**



Los individuos que no cumplan con estas reglas serán culpables de una infracción y podrán ser multados y dirigidos al fiscal del condado !!!



Para mas información, favor de llamar
al Departamento de Planificación al
(213) 974-6453 o al (213) 974-6483, lunes a jueves de 7:30am - 6:00 pm
(213) 974-6602 (buzón de voz) para uso de viernes a domingo.



Attachment H: Other Jurisdictions Survey Findings

Yard Sale Ordinance Update – Project No. R2014-01331 / RADV 201400005

City	Permit Required	Fee	Designated Days for Yard Sales	Maximum Number of Days for Each Yard Sale	Yard Sales Allowed Per Year
Compton	Yes	\$10.00	1 st Saturday of each month	3 days	12 per calendar year
Covina	Yes	\$10.00	No	2 days	2 per calendar year
El Monte	No	No	1 st Saturday and Sunday of March, June, Sept, December.	2 days	4 per calendar year
Gardena	Yes	\$30.00	No	2 days	4 per calendar year
Glendale	No	No	No	2 days	4 per calendar year; not allowed on successive weekends
Inglewood	Yes	\$5.00	No	2 days	2 per calendar year; one citywide yard sale allowed without permit on the 3 rd weekend of August
La Puente	Yes	No	No	2 days	2 per calendar year; limited to 1 permit every six months
Long Beach	Yes	\$17.00	No	3 days	2 per calendar year for Single-Family Residences; 1 per calendar year for Multi-family Residences
Los Angeles	No	No	No	2 days	5 per year calendar year
Montebello	No	No	1 st Fri, Sat, Sun of March, June, Sept, December	3 days	4 per calendar year
Pasadena	Yes	\$21.00	No	3 days	2 per any 12-month period
San Fernando	Yes	\$5.00	No	3 days	2 per calendar year
Torrance	No	No	No	3 days	2 per calendar year
West Hollywood	Yes	No	No	2 days	2 per calendar year
Whittier	No	No	No	2 days	1 every three months

Attachment I: Hearing Notice

NOTICE OF PUBLIC HEARING

YARD SALE ORDINANCE UPDATE PROJECT NO. R2014-01331-(1-5) ADVANCE PLANNING NO. 201400005

Notice is hereby given that the Los Angeles County Regional Planning Commission will conduct a public hearing concerning the above referenced project on **Wednesday, November 19, 2014 at 9:00 a.m.**, in Room 150, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Interested persons will be given an opportunity to testify.

PROPOSAL

Amendments to Title 22 of the Los Angeles County Code to establish comprehensive and reasonable standards for the sale of personal property at a yard sale, garage sale, moving sale, or similar event at a residence. The proposed ordinance will repeal existing yard sale regulations in 22.20.065 (R-zone) and 22.24.065 (A-zone) in Title 22 and add a new Part 30 to General Regulations of Chapter 22.52 addressing yard sales conducted on any property with a legally established residence, in any zone. This project is Categorically Exempt under Class 4 - Minor Alterations to Land, pursuant to Section 15304 (e) of the California Environmental Quality Act (CEQA) reporting requirements.

LOCATION: Unincorporated communities of Los Angeles County.

If you are unable to attend the public hearings but wish to send written comments, please write to the Regional Planning Commission, 320 West Temple Street 13th Floor, Los Angeles, California 90012. If the final decision on this proposal is challenged in court, testimony may be limited to issues raised at the public hearing or by written correspondence delivered to the Commission at or prior to the public hearing.

Project Materials will be available for review and comment during the comment period which is 30-calendar days prior to the hearing date, between 7:30 a.m. to 5:30 p.m., Monday through Thursday at Department of Regional Planning, 320 W. Temple Street, Los Angeles, CA 90012, phone (213) 974-6425, fax (213) 626-0434, online at: <http://planning.lacounty.gov/yard> or at <http://planning.lacounty.gov/case/view/r2014-01331> and at the public libraries listed below.

East Los Angeles Library
4837 E. Third Street
Los Angeles, CA 90022

Florence Library
1610 E. Florence Avenue
Los Angeles, CA 90001

Topanga Library
122 N. Topanga Canyon Blvd
Topanga, CA 90290

Hacienda Heights Library
16010 La Monde St
Hacienda Heights, CA 91745

Lancaster Regional Library
601 W. Lancaster Blvd
Lancaster, CA 93534-3398

La Crescenta Library
2809 Foothill Blvd
La Crescenta, CA 91214

Written comments may be submitted via email to Jonathan Bell at: jpbell@planning.lacounty.gov or mailed to the Department of Regional Planning (address provided above).

El aviso se da por este medio que la Comisión de Planificación Regional conducirá una audiencia pública referente al Manual Técnico de Construcción Verde. La audiencia pública se llevara a cabo en el salón 150, localizado en el Hall of Records, 320 W. Temple Street, Los Angeles, California. Personas interesadas tendrán la oportunidad para atestiguar. Si necesita más información favor de llamar al Departamento de Planificación Regional al (213) 974-6427.

ADA Accommodations: If you require reasonable accommodations or auxiliary aids and services, please contact the ADA (Americans with Disabilities Act) Coordinator at 213/974-6488 (voice) or 213/617-2292 (TDD), with at least five business days notice.

Attachment J: Public Comments

Jonathan Bell

From: Ruby Luna [rubyluna@ymail.com]
Sent: Tuesday, September 09, 2014 2:05 PM
To: Jonathan Bell; 'Aldridge, Rick E'; Allen, William; Alex, Terri; Art Jones; Daryl Koonce; Efren Martinez; Escobeos, Martha; Guy Ferdinand; Ricardo Gordillo; Hernandez, Claudia; Jerry Torres; Glenn Kam; Brenda Lopez; Lt. Christopher L. Johnson; Angel Nicolas; Quinones, Celica; Quinonez, Steve; Rick Aldridge (h); Robert Sandoval; Laura Rockett; Sgt. Tina M. Jones; Graceline Shin; Capice Simms; Simms, Jackie; Dino Smiley; Smiley, Stephanie; Terri Ross; Titus, Joe
Subject: Re: Code Enforcement

Dear Mr. Bell,

I have a few suggestions regarding the yard sale ordinance.

Would it be possible to specify who will be enforcing it and describe what will be the consequences for violators? Perhaps the first offense can result in a written warning, the second offense in a fine of \$150 or so and repeated offenders could pay \$1,000 or more. Maybe we could even use a portion of the collected fines to pay for the enforcement efforts.

Additionally, I, personally, wouldn't allow people to retroactively register their yard sales on non-designated weekends. This might create a loophole for abuse. If not enforced diligently, people will have a yard sale every weekend and if they get caught they can just pretend they weren't aware of the new ordinance and go register it retroactively to avoid repercussions.

Overall, the ordinance is very well written and fair. I am confident that once in place it will be an essential tool in eradicating the problem.

I would like to thank you Mr. Bell for your continued support and determination to help us improve our community.

Sincerely,
Ruby Luna

On Tuesday, September 9, 2014 11:23 AM, Jonathan Bell <jpbell@planning.lacounty.gov> wrote:

Jonathan Bell

From: Ruby Luna [rubyluna@ymail.com]
Sent: Tuesday, September 09, 2014 5:12 PM
To: Jonathan Bell
Subject: Re: Code Enforcement

Thank you for the clarification. I am looking forward to learning more about this during our next code enforcement meeting.

Thanks,
Ruby Luna

On Tuesday, September 9, 2014 4:00 PM, Jonathan Bell <jpbell@planning.lacounty.gov> wrote:

Hello Ms. Luna,

Thank you for your comments. I will provide a more in depth overview of the yard sale ordinance update at the 9/23 meeting. In the meantime, I would like to reply to your items.

The current draft indicates that the Regional Planning "Director or designee" is responsible for enforcing the yard sale code. This language is taken from current language in our zoning code. The Director has primary authority that is delegated to the Director's designees, which are the Zoning Enforcement inspectors at Regional Planning (Mr. Glenn Kam, for example). Like today, Zoning Enforcement will have primary authority for going out and enforcing the updated yard sale code. I will look into ways of making this wording more clear in the law.

The consequences of violations are outlined in the new enforcement procedures, which authorize immediate issuance of a Final Zoning Enforcement Order that imposes a \$704 fee, among other things. Other reviewers have recommended an increasing fine schedule like you have suggested. That would indeed help deter violations. I shall continue to look into that as an option.

Others have also expressed concerns about the retroactive registration element. That element is part of the flexibility requested for communities that do not have extended yard sale problems. That is one of the challenges of this being a countywide ordinance. Your concern is noted and will be addressed.

Please contact me if you have additional concerns.

Regards,
Jonathan P. Bell

From: Ruby Luna [mailto:rubyluna@ymail.com]
Sent: Tuesday, September 09, 2014 2:05 PM
To: Jonathan Bell; 'Aldridge, Rick E'; Allen, William; Alex, Terri; Art Jones; Daryl Koonce; Efren Martinez; Escobeos, Martha; Guy Ferdinand; Ricardo Gordillo; Hernandez, Claudia; Jerry Torres; Glenn Kam; Brenda Lopez; Lt. Christopher L. Johnson; Angel Nicolas; Quinones, Celica; Quinonez, Steve; Rick Aldridge (h); Robert Sandoval; Laura Rockett; Sgt. Tina M. Jones; Graceline Shin; Capice Simms; Simms, Jackie; Dino Smiley; Smiley, Stephanie; Terri Ross; Titus, Joe
Subject: Re: Code Enforcement

November 4, 2014

Jonathan P. Bell, Regional Planner
County of Los Angeles
Dept of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012

Dear Jonathan,

The Florence – Firestone Community Leaders were recently given an opportunity to review and discuss the Draft Proposed Yard Sale Ordinance (YSO). The YSO update provides enhanced and reasonable regulations to address the problem of extended yard sales countywide, in all five supervisorial districts. The YSO came about in response to Supervisor Ridley's Thomas April 2013 Board Motion that directed county departments to work together to update county codes to allow for more effective yard sale enforcement. The Florence –Firestone Community Leaders (FFCL) Strategic Focus Area's letter to Supervisor Mark Ridley-Thomas initiated this effort. The problem is evident across the Second District and most common in Florence-Firestone (FF), Lennox, and Willowbrook. It is also my understanding that these errant yard sales are also problems in the other LA County Supervisorial districts.

In September, 2012 the FF-SFA Code Enforcement wrote a group letter to Supervisor Mark Ridley-Thomas. This letter was written in response to "out of control" yard sales and street vending occurring in FF.

- The FFCL-SFA group was also aware that the problem existed in other communities in the county.
- The YSO provides enhanced and reasonable regulations to address the problem of extended yard sales.
- Current YSO strikes a balance between increased regulation and increased flexibility. More yard sales are allowed overall to achieve some flexibility, but they are restricted to designated weekends by-right, and with a permit for limited non-designated weekends in the year.
- The Monday-Friday ban on yard sales is appropriate since YS are a weekend activity. It will make enforcement more effective and its unwanted impacts more amenable.
- The enhanced enforcement procedures allow zoning enforcement officers to crack down on egregious violators. They can issue immediate Final Orders and more quickly impose fines and referrals for prosecution by the D.A.
- There is also flexibility in the enforcement procedures in that zoning inspectors still have discretion to use less restrictive notices and even warnings to gain compliance. The community

feels that the educational component, of "first warnings" is important in achieving the fairness sought by the community.

- The definition of the merchandise that can be sold has been made more clear and descriptive. It is clear in the YSO that only used and second hand items are legal to sell.
- It is clear in the YSO that any new, retail, or food/drink is not allowed as yard sale merchandise. This makes enforcement more efficient.
- The YSO will improve the deterrent effect and reduce the overall occurrence of illegal yard sales in the county.
- Areas like FF that experience "out of control" yard sales will see immediate benefits once the YSO goes into effect.
- It might be good to indicate the importance of funding teams of inspectors to go out on weekends for enforcement. DRP is closed Fri/Sat/Sun so weekend inspections will be done on approved OT. Without this, the YSO will have no teeth.

The areas of concern regarding the YSO are:

- The clause that allows retroactive registration of yard sales on non-designated weekends might create a loophole for abuse.
- Increased number of yard sales from 2 per year to 12 + per year might continue to prove to be a challenge for enforcement and in achieving the balance that the community is striving.
- A large outreach effort with an educational component is needed to inform the community of the changes and the new YSO or enforcement of this new YSO.

Overall, the ordinance is very well written and fair. I am confident that once in place it will be an essential tool in eradicating or substantially reducing the problem.

Sincerely,



Rick Aldridge

On behalf of the Florence Firestone Code Enforcement SFA

CC:

Mark Ridley-Thomas, LA County Supervisor, 2nd District
Sheriff John Scott, Los Angeles County Sheriff Department
Richard J Bruckner, Department of Regional Planning
Sari Steel, Los Angeles County Counsel

Attachment: Code Enforcement Letter to Supervisor Mark Ridley-Thomas, dated September 18, 2012



September 18, 2012

Hon. Mark Ridley-Thomas
866 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisor Ridley-Thomas,

I write this letter on behalf of the Code Enforcement Specific Focus Area (SFA) committee which is part of the Florence-Firestone Community Leaders and Florence-Firestone Community Enhancement Team and on behalf of countless residents of the Florence-Firestone community with the support and partnership of the Florence-Firestone Chamber of Commerce. For many years our neighborhood had been underserved resulting in blight and a quality of life that many would consider substandard. However, thanks to the resources that you and your office, Supervisors Gloria Molina, and your predecessor Former Supervisor Yvonne Burke have provided along with the collaborative effort of everyone involved with the Florence-Firestone Community Enhancement Team we have had many improvements over the past several years. We have noted a significant improvement in terms of public safety, economic development and with the overall aesthetics of our neighborhoods. However, there continues to be a problem that is pervasive in this community.

Illegal vending is a problem that still runs rampant through our community. On any day of the week you will find unlicensed vendors of both food and wares proliferating our streets, both on private property and on public right of ways. We understand that illegal vending is a problem that affects almost every community in Los Angeles County, however, in Florence-Firestone it is present at a whole different level which we believe is unacceptable. We have discussed the issue with several of the surrounding municipalities and they have all employed measures that may not eliminate the problem all together but have greatly reduced the instances of illegal vending in their jurisdictions. Below you will find a list of observations we have made that illustrate the negative effects of illegal vending on our community as well as several reasons that we have identified as to why it is so pervasive in Florence-Firestone.

Impact on community:

- It reduces the real estate values in our neighborhood.
- It is a blight and distraction for residents and visitors.
- It is in direct conflict and unfair competition to the licensed business that serve our community.
- It creates a more difficult environment and a less appealing community in which to attract business and merchants, in an already underserved community.
- There are infinite public health issues associated with street vending including; lack of sanitation, lack of running water, no washing of hands and cooking utensils, lack of restrooms.
- Vendors often block sidewalks and parkways.
- It creates traffic problems with patrons stopping and or parking illegally.
- Lines of vision are blocked at many street corners.
- Illegal vendors set up shop in parking lots and block access to required on-site parking spaces. Having accessible on-site parking is required per development standards for commercial uses.

- Street vendor makes many illegal stops in the middle of streets and impede traffic.
- Source of additional litter (discarded wrappers, cups and plates), no trash receptacles.
- Conducive to illegal sales (of possibly stolen items) and drug trafficking.
- Loud music, noise and pollutants spilling into the neighborhood.
- Connecting electrical appliances, etc with long extension cords connected to homes and business, and spanning across public right of ways.

Possible Contributors to problem:

- Continued patronage by residents due to convenience, cultural habits and/or lack of education (information).
- Lack of enforcement by Sheriffs Department due to lack of resources and low priority
- Lack of follow through by the courts.
- No enforcement on weekends by Department of Regional Planning for illegal vending occurring on private property (which is at its peak).
- Lack of prosecution by the courts due to difficulty in identifying the perpetrators (many of whom do not have id) and ensuring that those cited show up in court.
- Many cases are unfiled or dismissed due to strain on court resources.

As stated before, the extent of illegal vending in our community is unacceptable. As leaders, we ask that you assist us in identifying ways to improve upon the issue through education campaigns as well as enforcement and prosecution. We ask that all agencies involved collaborate with the community leaders to find permanent, effective solutions to the problem. The residents of Florence-Firestone look forward to hearing about your plans to assist us with getting this issue under control. Thank you for your consideration of this matter.

Sincerely,

Rick Aldridge
On behalf of the Florence Firestone Code Enforcement SFA

CC:
Sheriff Leroy Baca, Los Angeles County Sheriffs Department
Richard J Bruckner, Department of Regional Planning
Sari Steel, Los Angeles County Counsel

A UNITED EFFORT FOR THE BETTERMENT OF OUR COMMUNITY

SOUTHWEST COMMUNITY ASSOCIATION

P.O. Box 47898
LOS ANGELES, CALIF. 90047

November 6, 2014
Dept. of Regional Planning
County of Los Angeles
320 W. Temple St.
Los Angeles, Ca. 90012

ATTN: Jonathan Bell. Planner

SUBJECT: YARD SALE ORDINANCE UPDATE:

1. DESIGNATED WEEKENDS: Within urban communities, yard sales are more successful on the first or second weekends of the month due to large segments of communities being made up of residents receiving public assistance. Those allotments are normally made available between the 1st and 10th of the month.

The last Saturday and Sunday will impact yard sales countywide particularly during the months of November and December due to celebrated annual holidays.

With Los Angeles County' vast diverse population culturally, ethnically, socio-economically, etc., this proposed ordinance may not be equitable for all communities. An optional approach may be to attempt to tailor the schedule to existing community Specific District Plans through amendments to those plans. This will provoke discussion and hopefully consensus within the respective communities.

2. ENFORCEMENT PROCEDURES: Since the entire culture surrounding yard sales will be changed under this proposed ordinance, if enacted, it is recommended that first time violators be issued a warning along with an updated/revised "Zoning Enforcement" brochure or a one page or less sheet summary of the ordinance in english, spanish or the predominate language of other groups within various communities. Education will be the key to a successful and less punitive transition to the proposed new ordinance if enacted.

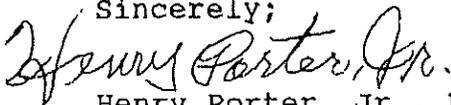
Enforcement must be consistent throughout Los Angeles County! To achieve this consistency, it may be necessary to develop implementation procedures during the infancy of enforcement.

Since much of the enforcement will be required on weekends, adequate resources must be committed.

3. RECOMMED the following language to the ends of various paragraphs:

- A. Sections 22.52.3140(B) & 3170(B) "Of Regional Planning."
- B. Section 22.52.3160(D2 & E3) " Or on the parkway."
- C. Section 22.52.3160(E) "No banners", "No music or amplification devices."

Sincerely;



Henry Porter, Jr., President
(323)757-5506hm.
(323)273-6435cell

11/6/14

Sheet 1 of 2
-TAC CENTER

TO: JONATHAN BELL, PARKER
L. A. COUNTY/RECYCLING PARTNERS
PH. (913) 974-6405
FAX (913) 974-4754

FROM: HENRY RICE JR.
W. F. HUBBARD ENVIRONMENTAL
329) 573-4350
325) 757-5526 AM.

Re: YARD SIGN CONTRACT STATE